

Notice of Allowability**Application No.**

10/629,347

Examiner

THIERRY L. PHAM

Applicant(s)

CICCARELLI, VICTOR

Art Unit

2625

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 8/17/09 and authorized examiner's amendment dated 12/7/09.
2. ☒ The allowed claim(s) is/are 1,4-6,8-10,12-14,19 and 20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 12/7/09.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Thierry L Pham/
Examiner, Art Unit 2625

DETAILED ACTION

- This action is responsive to the following communication: an amendment filed on 8/17/2009 and authorized examiner's amendment dated 12/7/2009.
- Claims 1, 4-6, 8-10, 12-14, 19-20 are now allowed; claims 2-3, 7, 11, and 15-18 have been canceled, wherein claims 2, 11, and 15-18 have been canceled via examiner's amendment.
- During telephone interview with Libby Varghese dated 12/7/2009, Ms. Varghese agreed to file a terminal disclaimer to obviate a double patenting issues with respect to U.S. Patent No. 7634156. The Terminal Disclaimer has been received and approved.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Libby Varghese on 12/7/2009.

Please amend the following claims:

1. (Currently Amended) A method for providing actual scale information of a digital raster image, comprising:

digitizing a paper document using a digitizing device to create a digital raster image;

recording scale information associated with the paper document and the scale information of digitizing device, wherein the scale information includes an original scale of the paper document, a dots per inch (DPI) of the digitizing device, and an original size of the paper drawing;

embedding the scale information in a ~~dedicated~~ tag location of a header of the digital raster image;

storing the digital raster image as a single file, wherein said embedded scale information is embedded in said ~~dedicated tag~~ location of said header of said single file; and
providing a digital image viewer for,
 rendering the digital raster image,
 receiving drawing input from a user comprising a line or a shape,
 calculating a true scale measurement of the drawn line or shape based at least in part on the embedded scale information in said ~~dedicated tag~~ location of said header of said single file, and
 presenting the true scale measurement to the user via the viewer.

2. (Canceled)

5. (Currently Amended) The method of claim 4, wherein embedding the scale information in a tag location of a header of the digital raster image comprises embedding the scale information in a tag location of a header of the TIFF image.

6. (Currently Amended) A computer-based method for providing true scale information of a digital raster image made from a paper document by a digitizing device, comprising:

 receiving a digital raster image, wherein the digital raster image has scale information of the paper document and the scale information of the digitizing device embedded in a dedicated tag location of a header of the digital raster image, wherein the scale information includes an original scale of the paper document, a dots per inch (DPI) of the digitizing device, and an original size of the paper drawing;

 rendering the digital raster image;
 receiving drawing input from a user comprising a line or shape;
 calculating a true scale measurement of the drawn line or shape based at least in part on the scale information embedded in said ~~dedicated tag~~ location of said header of the digital raster image; and
 presenting the true scale measurement to the user.

7. (Canceled)

9. (Currently Amended) The method of claim 8, wherein the scale information is embedded in a tag location header of the TIFF image.

10. (Currently Amended) A system for presenting actual scale information of a digital raster image, comprising:

a digitizing device that digitizes a paper document to create a digital raster image,
wherein scale information associated with the paper document and the scale information of the digitizing device is recorded and embedded in a dedicated tag location of a header of the digital raster image, wherein the scale information includes an original scale of the paper document, a dots per inch (DPI) of the digitizing device, and an original size of the paper drawing; and

a digital image viewer that receives the digital raster image and:
renders the digital raster image,
receives drawing input from a user comprising a line or shape,
calculates a true scale measurement of the drawn line or shape based at least in part on the scale information embedded in said dedicated tag location of said header of the digital raster image; and
presents the true scale measurement to the user.

11. (Canceled)

14. (Currently Amended) The system of claim 13, wherein the scale information is embedded in a tag location of a header of the TIFF image.

15-18 (Canceled).

Allowable Subject Matter

- Claims 1, 4-6, 8-10, 12-14, 19-20 are allowed; renumbered as claims 1-12.

The following is an examiner's statement of reasons for allowance: The cited prior arts of record (US 6134338 to Solberg et al; US 20020077787 to Rappaport et al) fail to teach and/or suggest a method of embedding scale information of paper document and scale information of a digitizing device in a tag location of a header of a digital raster image file, wherein the scale information includes an original scale of the paper document, a dots per inch (DPI) of the digitizing device, and an original size of the paper drawing as cited in claims 1, 6, and 10.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THIERRY L. PHAM whose telephone number is (571)272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Thierry L Pham/

Temporary Full Signatory Examiner, Art Unit 2625